

REMARKS

Claims 1-10, 12-17 and 19-22 are pending in the current application. Of those, claims 1, 12, and 19 are independent claims. Claims 1, 12, and 19 are amended by this Response. Claims 11 and 18 remain canceled. No new claims are added by this Response.

Telephone Interview

Applicant notes the telephone interview conducted on March 11, 2008 with Examiner Joshua Joo. Applicant thanks the Examiner for his time and for discussing the claims and currently cited art. In particular, Applicant thanks the Examiner for his indication that although he would need to perform a more thorough review, if the claims were amended as found in the present Response they would likely distinguish over the currently cited art.

Claims Rejections – 35 U.S.C. § 103

Claims 1, 2, 4, 7, 12, 15, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Immonen et al. (US 2002/0132611, hereinafter “Immonen”) in view of Tuunanen (US 6,487,288, hereinafter “Tuunanen”) and Rasanen (US 2005/0286418, hereinafter “Rasanen”). Claims 3, 5-6, 8-10, 13, 14, 16, 17 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Immonen, Tuunanen and Rasanen in view of Bender et al. (US 6,539,030, hereinafter “Bender”).

In the Response to Arguments section at page 2 of the current Office Action the Examiner admits that Immonen fails to disclose a request comprising an identifier that indicates that the default profile is to be used and indicating a default parameter group. Instead, the Examiner relies on Tuunanen by further asserting that Tuunanen teaches of an “identifier which identifies the default set of parameters...” and relies on the combination of Immonen and

Tuunanen as teaching the scope of a token indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type.

Tuunanen discloses at col. 5, lines 48-67 that a service control point SCP requests a service switching point SSP for information on its configuration by an enquiry operation. In particular, Tuunanen discloses that the operation data can be an identifier which identifies the default set of parameters or identifies one set from among several default sets. However, Tuunanen also discloses at col. 6, lines 1-11 "The service switching point SSP informs the control point SCP of its configuration by a configuration operation (SSP Configuration). In the first preferred embodiment, the configuration operation comprises as its operation data (param1=X, . . .) those parameters with their values whose values were requested by the enquiry operation. This ensures that the control point knows which value belongs to a particular parameter. Also mere parameter values can be sent as operation data as long as they are sent in such an order that the service control point is able to assign them to correct parameters. For example, orders according to the enquiry operation or the default set are such orders."

Therefore, Tuunanen must send the parameter values to the SCP in response to an enquiry operation from the SCP which identifies the default set. As such, Tuunanen fails to disclose and cannot be used to render obvious "sending information to and receiving information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type and **without sending the parameters for the associated parameter group type to the access terminal** when a portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the at least one bit indicates the access terminal operates according to the default parameter group for the associated parameter group type" as required by claim 1.

Further, Applicant now separately addresses the Examiner's use of Rasanen. Applicant respectfully submits that Rasanen does not disclose using a certain "bit" to identify a certain "attribute." In particular, Rasanen at paragraph [0053] merely discloses a bit of a BCIE may indicate whether data compression is allowed. There is no indication in Rasanen that a bit may be set to identify a parameter group type as required by Applicant's claim 1. Accordingly, claim 1 is patentable for at least this additional reason.

Applicant respectfully submits that even assuming for the sake of argument Immonen, Rasanen, and Bender are properly combinable (which Applicant does not admit), Rasanen and Bender fail to cure the deficiencies of Immonen discussed above, and therefore, claim 1 is patentable for at least the above reasons. Claims 12 and 19 contain features somewhat similar to those discussed above in regard to claim 1, and in particular, recite "without sending the parameters for the associated ... to the access terminal". Therefore, claims 12 and 19 are patentable for at least somewhat similar reasons as claim 1. Claims 2-10, 13-17, and 20-22, which depend from one of claims 1, 12, and 19, are patentable for at least the same reasons discussed above in regard to claims 1, 12, and 19 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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